

IN THE SUPREME COURT OF THE STATE OF NEVADA

PERCY LAVAE BACON,
Appellant,
vs.
D.T.G. OPERATIONS, INC.;
THRIFTY/DOLLAR RENTAL, INC.;
MIKE BROOKS; D.T.G.
OPERATIONS, INC.; AND QUALITY
TOWING,
Respondents.

No. 55225

FILED

JUL 20 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

PERCY LAVAE BACON,
Appellant,
vs.
D.T.G. OPERATIONS, INC. AND
THRIFTY/DOLLAR RENTAL, INC.,
Respondents.

No. 55570

PERCY LAVAE BACON,
Appellant,
vs.
UNITED ROAD SIDE SERVICE,
INC.; QUALITY TOWING;
THRIFTY/DOLLAR RENTAL, INC.;
DTG OPERATIONS, INC.; AND
MIKE BROOKS,
Respondents.

No. 55670

ORDER DENYING MOTION TO DISMISS IN DOCKET NO. 55670,
DISMISSING APPEAL IN DOCKET NO. 55670,
CONSOLIDATING DOCKET NOS. 55225¹ AND 55570,
DIRECTING SERVICE, AND DIRECTING DISTRICT COURT CLERK
TO TRANSMIT SUPPLEMENTAL RECORD

¹We direct the clerk of this court to amend the caption for Docket No. 55225 on this court's docket to conform with the caption on this order.

In this order we address several procedural matters in these appeals. First, on April 19, 2010, respondents United Road Side Service, Inc., filed a motion to dismiss the appeal in Docket No. 55670. Having considered the motion, we deny it because the notice of appeal was timely. However, appellant seeks to challenge the district court's oral ruling denying a motion for reconsideration. No appeal may be taken from a district court's oral ruling, Rust v. Clark Cty. School District, 103 Nev. 686, 689, 747 P.2d 1380, 1382 (1987), and an order denying reconsideration is not substantively appealable. Alvis v. State, Gaming Control Bd., 99 Nev. 184, 660 P.2d 980 (1983). Therefore, we order Docket No. 55670 dismissed.

Next, on March 30, 2010, counsel for respondents D.T.G. Operations, Inc., and Thrifty/Dollar Rental, Inc., filed a motion to consolidate all three appeals. We grant the motion as to Docket Nos. 55225 and 55570 and consolidate these appeals. We deny the motion in Docket No. 55670 as moot in light of that appeal's dismissal.

Also, on March 31, 2010, we directed appellant in Docket No. 55225 to serve the notice of appeal on respondents. He timely filed a proof of service, but our review of this document indicates that appellant served the notice of appeal for Docket No. 55570. Accordingly, appellant shall have 20 days from the date of this order to properly serve, on respondents, his notice of appeal, for Docket No. 55225, that was filed in the district court on January 6, 2010, and to file a properly completed certificate of service with this court. See NRAP 25(d).

Finally, we direct the district court clerk to transmit within 30 days from the date of this order, to this court, as a supplement to the

record on appeal, any part of the record in District Court Case No. A495030 that was not already transmitted in response to this court's order in Docket No. 55225.

It is so ORDERED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Hon. Valerie Adair, District Judge
Percy Lavae Bacon
Mills & Associates
Eighth District Court Clerk